

Ethics Consultation

Beyond the Basics



U.S. Department of Veterans Affairs

Veterans Health Administration
National Center for Ethics in Health Care

Module 2

Formulating the Ethics Question

Learning Objectives

- Identify the values labels that apply to a given ethics consultation request.
- Articulate these values from the perspective of those involved.
- Determine which values perspectives are central.
- Articulate the central ethical concern.
- Formulate an ethics question that includes the ethical concern.

CASES Link



***CLARIFY* the Consultation Request**

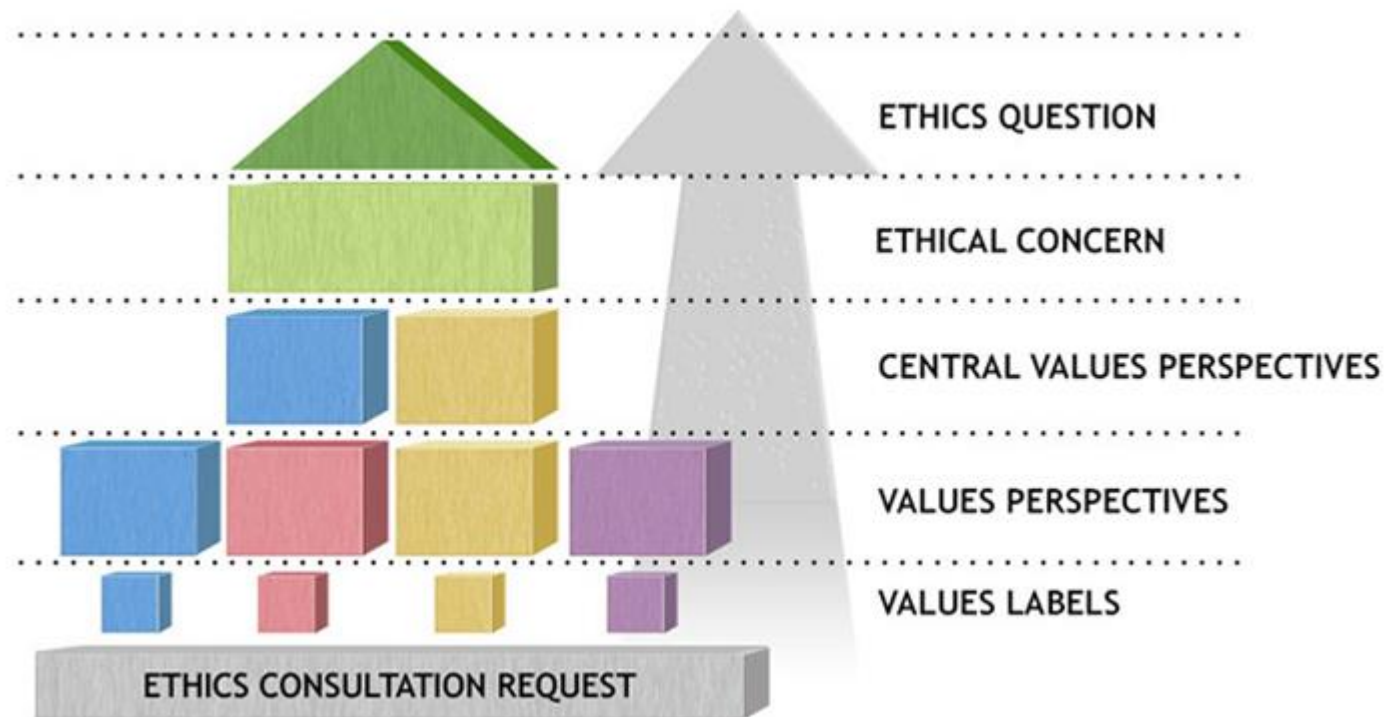
Characterize the type of consultation request

Obtain preliminary information from the requester

Establish realistic expectations about the consultation process

Formulate the ethics question

Building Blocks



What Are Values?

Values are strongly held beliefs, ideals, principles, or standards that inform ethical decisions or actions.

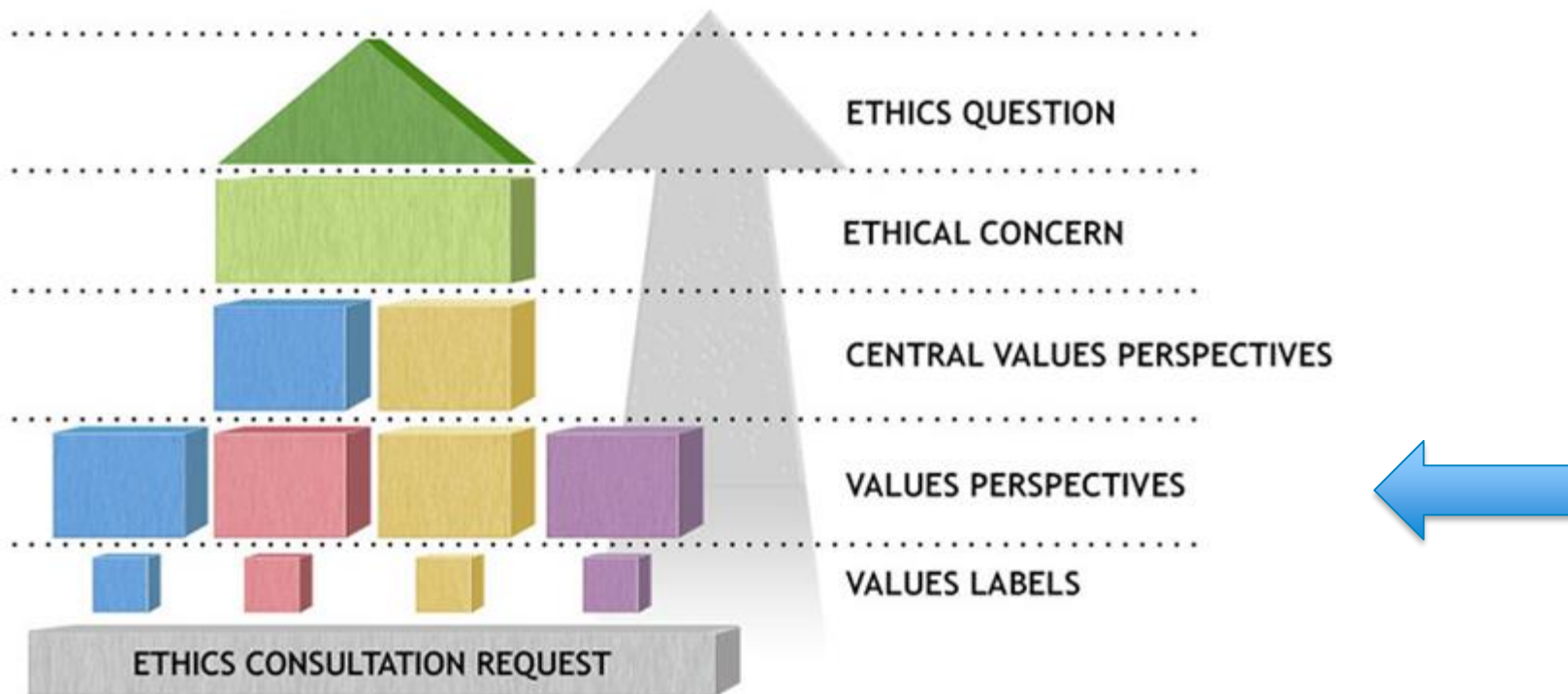
Examples of values:

- Truth-telling
- Equality
- Efficiency
- Stewardship
- Compassion

Consultation Example

The chief medical resident requests an ethics consultation. She has just begun a 6-month rotation at the hospital and is upset because her attending has chastised her for allowing her resident physicians to practice procedures (central line insertions and intubation) on newly deceased patients without obtaining consent from the next of kin. The chief resident defends this practice because she sees it as an invaluable learning opportunity for the medical residents, and she is responsible for their education. Practicing procedures on newly deceased patients without consent is allowed at other affiliated hospitals where she has trained. She says it should be allowed in this hospital as well because it “is best for the most people.”

Values Perspectives



Characteristics of a Values Perspective

The Values Perspective:

- ☐ Explicitly identifies the person or group whose perspective is being represented (i.e., who holds the perspective)
- ☐ Uses words such as “believes” or “according to...” to link the person or group to the value
- ☐ Is normative (expresses or implies how things *should* be as opposed to how things *are*)
- ☐ Explicitly expresses an underlying value (it may or may not include a values label)

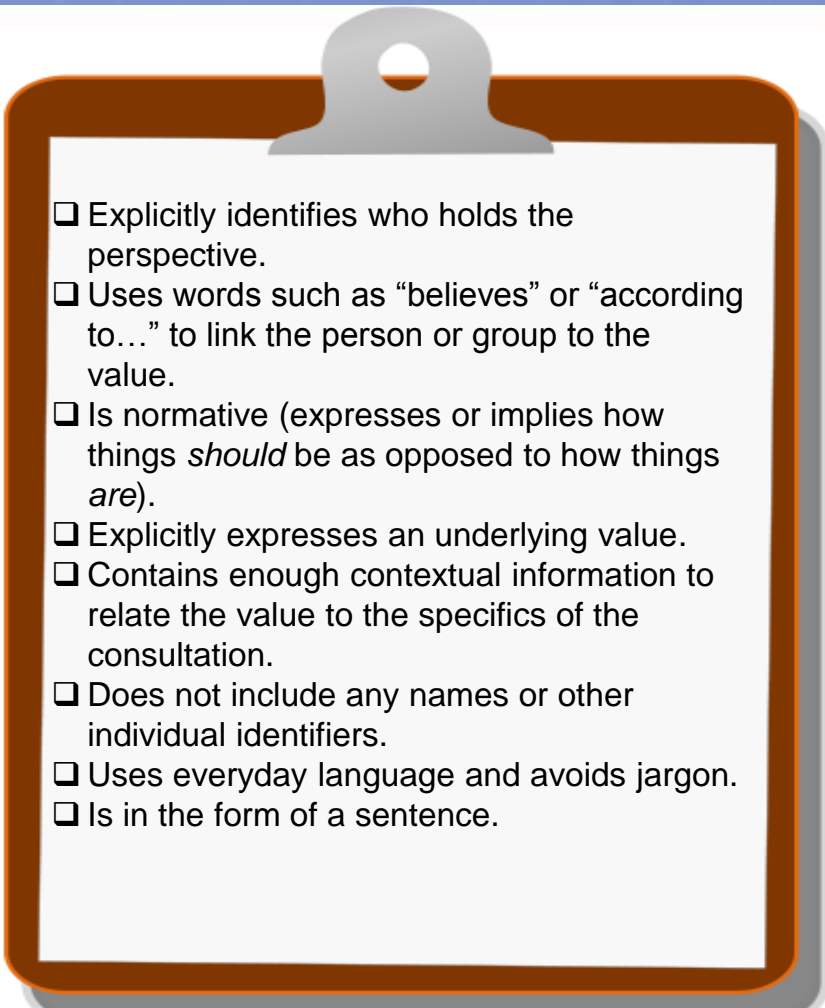
Characteristics of a Values Perspective

The Values Perspective (cont'd):

- ☐ Contains enough contextual information to relate the value to the specifics of the consultation
- ☐ Does not include any names or other individual identifiers
- ☐ Uses everyday language and avoids jargon
- ☐ Is in the form of a sentence

What's Wrong with this Values Perspective?

“The patient thinks that life-sustaining treatment should be continued indefinitely.”

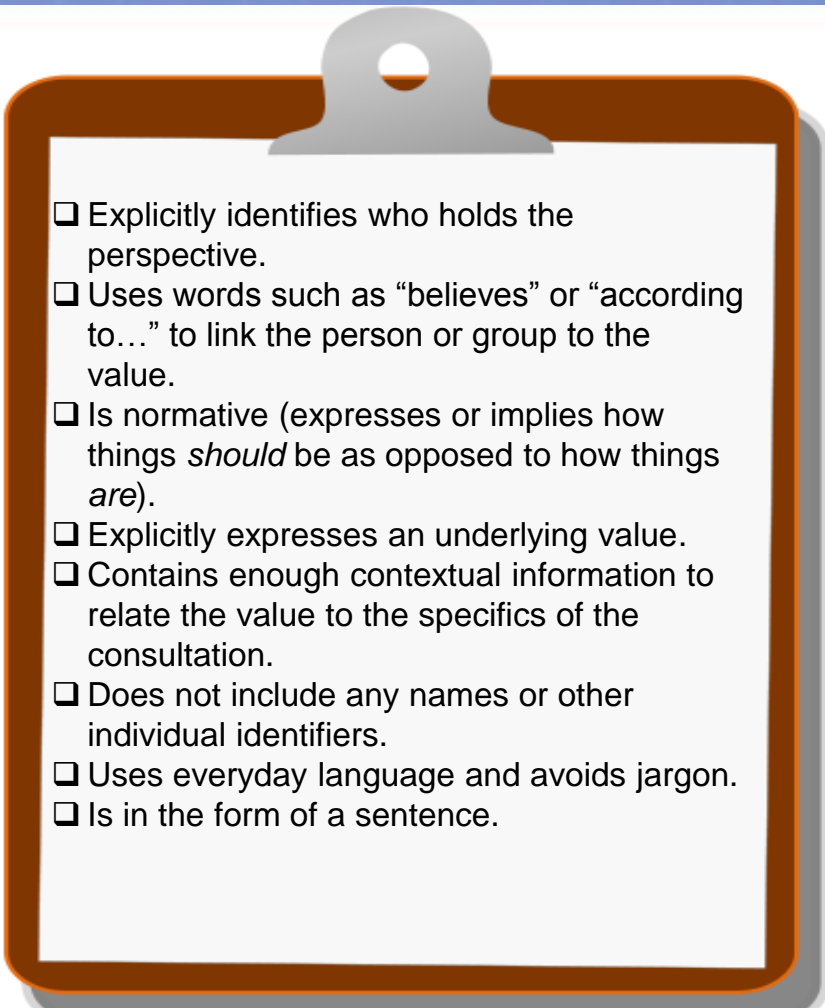
- 
- ☐ Explicitly identifies who holds the perspective.
 - ☐ Uses words such as “believes” or “according to...” to link the person or group to the value.
 - ☐ Is normative (expresses or implies how things *should* be as opposed to how things *are*).
 - ☐ Explicitly expresses an underlying value.
 - ☐ Contains enough contextual information to relate the value to the specifics of the consultation.
 - ☐ Does not include any names or other individual identifiers.
 - ☐ Uses everyday language and avoids jargon.
 - ☐ Is in the form of a sentence.

What's Wrong with these Values Perspectives?

“Life-sustaining treatment should be discontinued because the patient is not expected to survive to leave the hospital.”

“Dr. Smith feels obligated to treat the infection due to beneficence.”

“Telling the truth to her patients and coworkers.”

- 
- ☐ Explicitly identifies who holds the perspective.
 - ☐ Uses words such as “believes” or “according to...” to link the person or group to the value.
 - ☐ Is normative (expresses or implies how things *should* be as opposed to how things *are*).
 - ☐ Explicitly expresses an underlying value.
 - ☐ Contains enough contextual information to relate the value to the specifics of the consultation.
 - ☐ Does not include any names or other individual identifiers.
 - ☐ Uses everyday language and avoids jargon.
 - ☐ Is in the form of a sentence.

Examples of Values Labels and Values Perspectives

Values Label	Values Perspective
Autonomy	The attending thinks that the family should determine what procedures are performed on their deceased relative's body because it is their right.
Community	The chief resident believes it will be good for the community if residents are allowed to practice procedures on newly dead patients.
Consistency	
Consistency	
Duty	

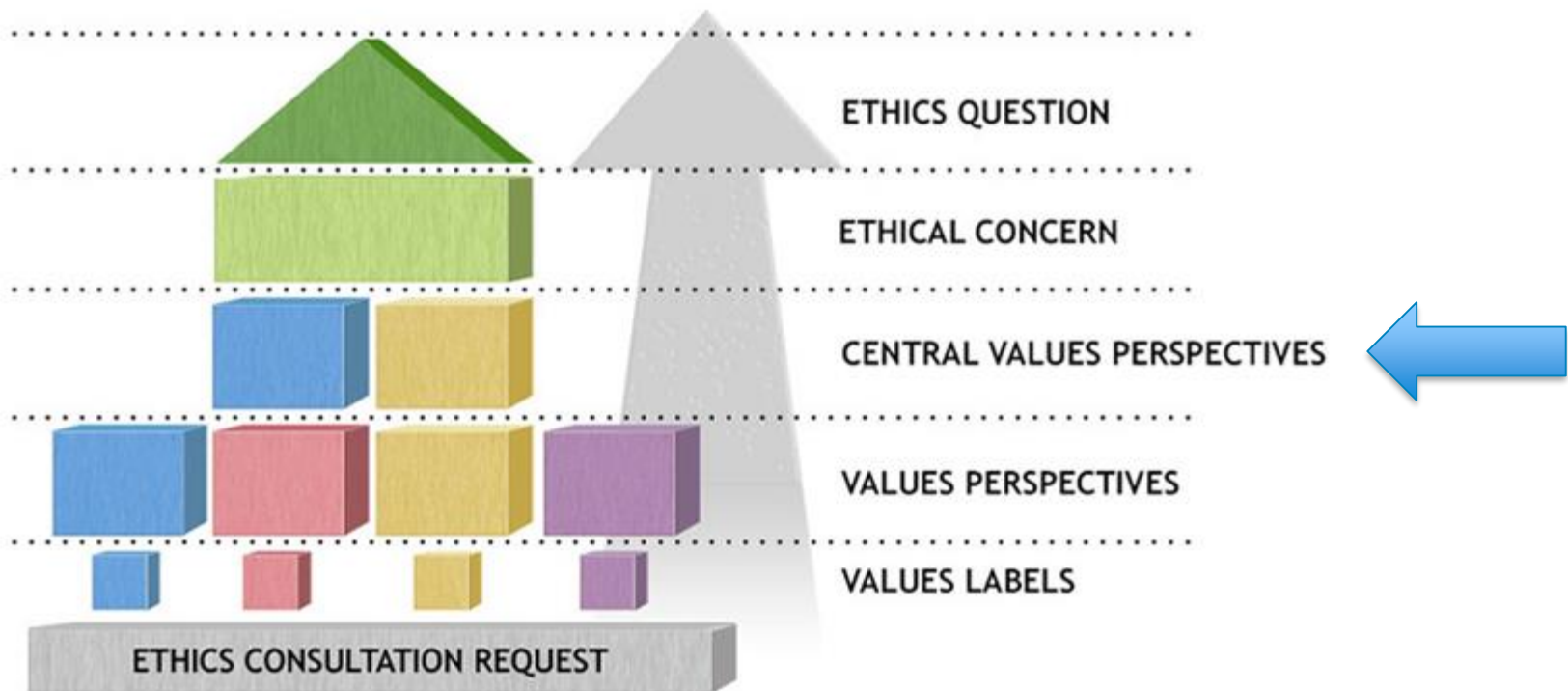
Examples of Values Labels and Values Perspectives

Values Label	Values Perspective
Autonomy	The attending thinks that the family should determine what procedures are performed on their deceased relative's body because it is their right.
Community	The chief resident believes it will be good for the community if residents are allowed to practice procedures on newly dead patients.
Consistency	The attending argues that in order to be consistent, residents should ask for consent to practice on deceased patients just as they do for living patients.
Consistency	The chief resident argues that in order to be consistent, our hospital should do what the other hospital does.
Duty	

Examples of Values Labels and Values Perspectives

Values Label	Values Perspective
Autonomy	The attending thinks that the family should determine what procedures are performed on their deceased relative's body because it is their right.
Community	The chief resident believes it will be good for the community if residents are allowed to practice procedures on newly dead patients.
Consistency	The attending argues that in order to be consistent, residents should ask for consent to practice on deceased patients just as they do for living patients.
Consistency	The chief resident argues that in order to be consistent, our hospital should do what the other hospital does.
Duty	The attending believes that the chief resident has a duty to teach residents not to practice procedures without permission.

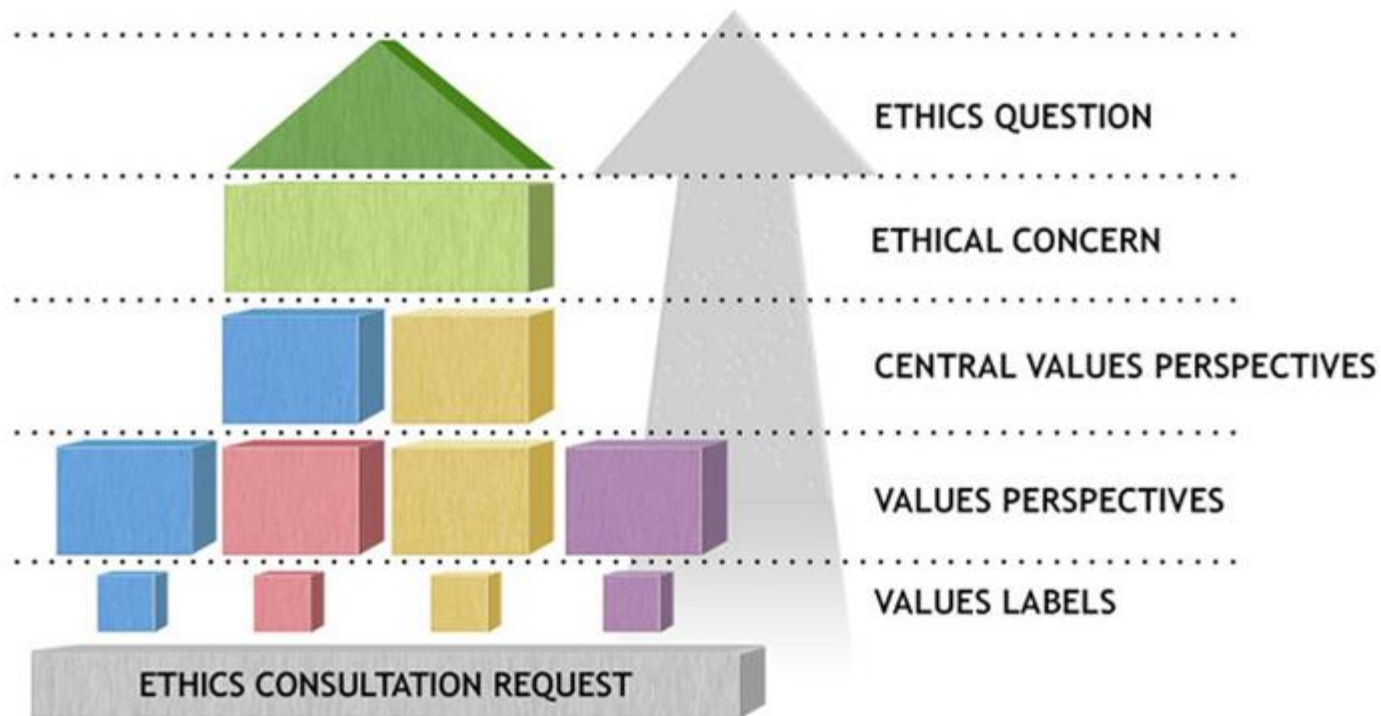
Central Values Perspectives



Choosing Central Values

Values Label	Values Perspective	Central?
Autonomy	The attending thinks that the family should determine what procedures are performed on their deceased relative's body because it is their right.	✓
Community	The chief resident believes it will be good for the community if residents are allowed to practice procedures on newly dead patients.	✓
Consistency	The attending argues that in order to be consistent, residents should ask for consent to practice on deceased patients just as they do for living patients.	
Consistency	The chief resident argues that in order to be consistent, our hospital should do what the other hospital does.	
Duty	The attending believes that the chief resident has a duty to teach residents not to practice procedures without permission.	

Ethical Concern



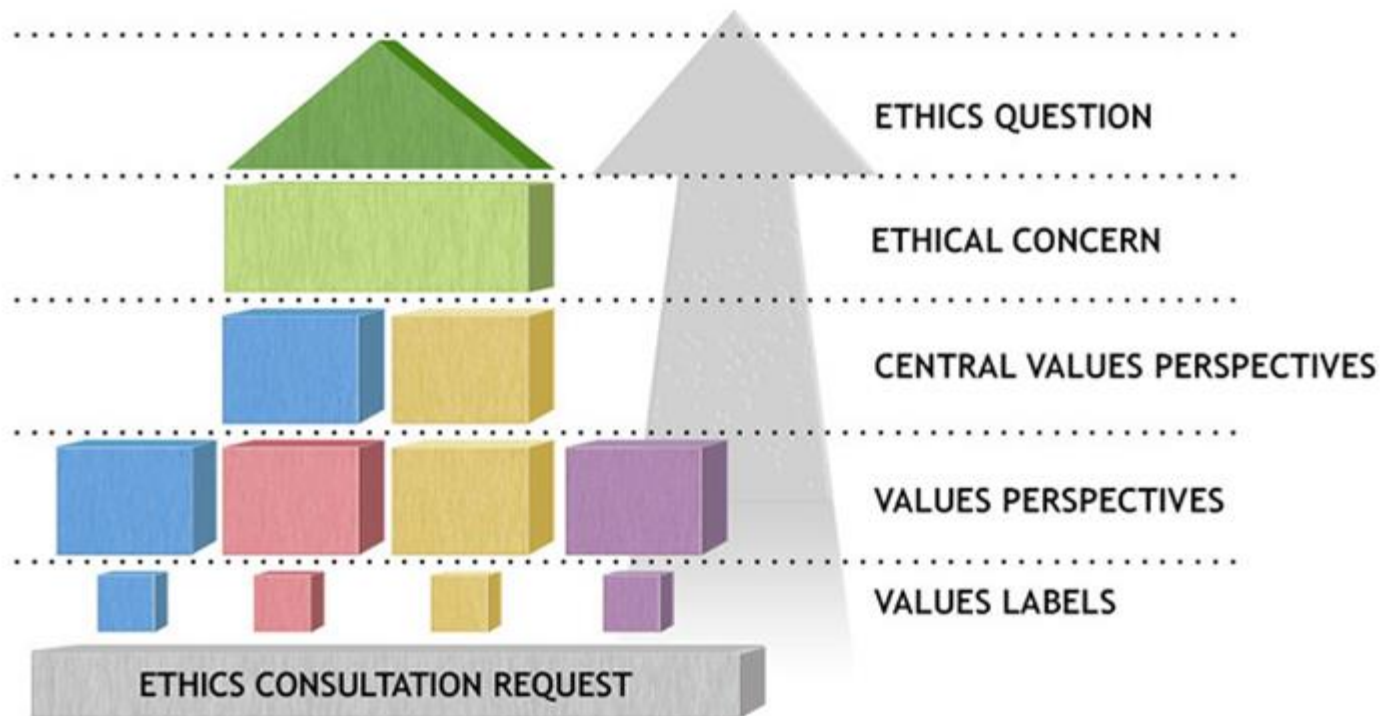
Form of the Ethical Concern

[first central values perspective], but [second central values perspective]

The Ethical Concern in the Case

[the attending thinks that the family should determine what procedures are performed on their deceased relative's body because it is their right], but
[the chief resident believes it will be good for the community if residents are allowed to practice procedures on newly dead patients]

Ethics Question



Form of the Ethics Question

Given that [ethical concern], what decision or actions are ethically justifiable?

- or -

Given that [ethical concern], is it ethically justifiable to [decision or action]?

- or -

What ethical concerns are raised by [name of document], and what should be done to resolve them?

The Ethics Question in the Case

Given that [the attending thinks that the family should determine what procedures are performed on their deceased relative's body because it is their right], but [the chief resident believes it will be good for the community if residents are allowed to practice procedures on newly dead patients], is it ethically justifiable for residents to practice procedures on newly dead patients without obtaining consent from the next of kin?

Group Activity Instructions

Handouts 2.1, 2.2, and 2.3

1. Break into small groups.
2. Choose at least 2 scenarios from Scenarios 2–6.
3. List the values labels and values perspectives that describe each scenario.
4. Select 2 values perspectives that are most central.
5. Draft a statement of ethical concern.
6. Choose the form of the ethics question and, if appropriate, enter the decision or action.
7. Be prepared to read your ethics question.

Debrief and Discussion

1. Report on the ethics question for each scenario and compare results.
2. Respond to these discussion questions:
 - How does this process vary from how you generally approach an ethics consultation?
 - How did identifying values help you understand what was driving the request for an ethics consultation?

Takeaways

Formulating the ethics question

1. Values labels
2. Values perspectives: see 8-item checklist
3. Central values perspectives
4. Form of ethical concern:
[first values perspective], but [second values perspective]
5. 3 forms of ethics question:
 - Given that [ethical concern], what decision or actions are ethically justifiable?
 - Given that [ethical concern], is it ethically justifiable to [decision or action]?
 - What ethical concerns are raised by [name of document] and what should be done to resolve them?

Questions

Questions?